

EXHIBIT K –

**BJH 21-1-22 Third Supplemental Answers to Plaintiff's
Supplemental Interrogatories**

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JEFFERY WEISMAN, and)	
STRATEGIC BIOMEDICAL, INC,)	
)	
Plaintiffs,)	No. 4:19-cv-75-JAR
v.)	
)	The Honorable John A. Ross
)	
BARNES JEWISH HOSPITAL,)	
BJC HEALTHCARE,)	
WASHINGTON UNIVERSITY,)	
ALEX EVERE,)	
RICHARD BENZINGER, and)	
THOMAS COX,)	
)	
Defendants.)	

**DEFENDANT BARNES-JEWISH HOSPITAL'S THIRD SUPPLEMENTAL OBJECTIONS
AND RESPONSES TO PLAINTIFF'S SUPPLEMENTAL RULE 33 INTERROGATORIES**

Defendant Barnes-Jewish Hospital ("BJH") provides the following second supplemental objections and responses to Plaintiff's Supplemental Rule 33 Interrogatories to Barnes-Jewish Hospital dated March 26, 2022.

INTERROGATORIES

4. List all costs and expenses incurred as a result of learning that the Plaintiff allegedly photographed certain email in George Benzinger's account on December 13, 2017.

ANSWER: BJH incurred (and is continuing to incur) costs and expenses through its investigation of Plaintiff's access to and photographing of Dr. Benzinger's email account. BJH also incurred (and is continuing to incur) attorneys' fees related to the investigation of Plaintiff's access to and photographing of Dr. Benzinger's email account. BJH states that the investigation and discovery are ongoing, and it reserves its right to supplement this interrogatory as additional information becomes available. To the extent Interrogatory No. 4 asks for more, BJH objects to Interrogatory No. 4 because the terms "costs and expenses" are undefined, unclear, vague, ambiguous, subject to varying interpretations, overly broad, and unduly burdensome. BJH further objects to Interrogatory No. 4 as overly broad, unduly burdensome, and not proportional to the needs of this case. BJH further objects to Interrogatory No. 4 to the

extent it seeks documents protected by the attorney-client privilege and/or work product doctrine.

SUPPLEMENTAL ANSWER: BJH has incurred approximately \$3,802 in attorneys' fees related to BJH's prosecution of its counterclaim as of BJH's January 31, 2022 invoice. BJH is continuing to incur attorneys' fees related to the investigation of Plaintiff's access to and photographing of Dr. Benzinger's email account and the prosecution of its counterclaim. BJH states that the investigation and discovery are ongoing, and it reserves its right to supplement this interrogatory as additional information becomes available.

SECOND SUPPLEMENTAL ANSWER: BJH has incurred approximately \$24,000 in attorneys' fees related to BJH's prosecution of its counterclaim. BJH is continuing to incur attorneys' fees related to the investigation of Plaintiff's access to and photographing of Dr. Benzinger's email account and the prosecution of its counterclaim. BJH has incurred approximately \$1,500 in costs to investigate Plaintiff's access to and photographing of Dr. Benzinger's email account. BJH states that the investigation and discovery are ongoing, and it reserves its right to supplement this interrogatory as additional information becomes available.

THIRD SUPPLEMENTAL ANSWER: BJH identifies the following individuals with knowledge of BJH's investigation into Plaintiff's computer tampering:

- Kaleo Cobb-Adams
- Brian Haefner
- Roslyn Henderson
- Nichole Jennings
- Matthew Modica
- Terra Mouser
- Christopher Niekamp
- Christine Ramatowski
- Jodi Sanchez
- Casey Taylor

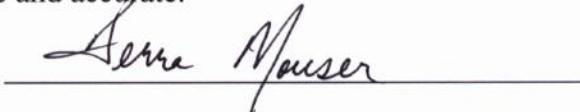
BJH refers Plaintiff to redacted billing statements of their attorneys' fees related to their investigation and prosecution of the computer tampering counterclaim (Bates Nos. BJH000672-708).

BARNES-JEWISH HOSPITAL

By: Terra Mouser

Its: Director, Graduate Medical Education
and Medical Staff Services

Under the penalties perjury provided by law, the undersigned certifies that h/she have read Barnes-Jewish Hospital's Objections and Responses to Plaintiff's Supplemental Rule 33 Interrogatories to Barnes-Jewish Hospital and know its contents. Being duly sworn upon oath, I state that I am an employee of Barnes-Jewish Hospital, a party to this action, and verify the foregoing Supplemental Objections and Responses to Plaintiff's Supplemental Rule 33 Interrogatories; that I am duly authorized to do so; and that I am informed and believe and on that ground allege that the facts and matters set forth therein are true and accurate.

A handwritten signature in black ink, appearing to read "Terra Mouser", is written over a horizontal line.

Respectfully submitted as to objections,

HUSCH BLACKWELL LLP

By: /s/ Blake R. Armstrong

Michael P. Nolan, Bar No. 54046MO
Theresa M. Mullineaux, Bar. No 70267MO
Blake R. Armstrong, Bar No. 72683MO
190 Carondelet Plaza, Suite 600
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Blake.Armstrong@huschblackwell.com

*Attorneys for Barnes-Jewish Hospital and BJC
Healthcare*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on December 1, 2022, a true and accurate copy of the foregoing was electronically served upon all counsel of record.

/s/ Blake R. Armstrong

HUSCH BLACKWELL

P O BOX 790379, SAINT LOUIS, MISSOURI 63179, (314) 480-1500, Federal ID No 26-1688286

**Needs to be Electronically Billed (LEGALTRACKER)
Do not mail and return to billing**

BJC Health System

Invoice Date:

December 06, 2021

Invoice Number:

3090161

INVOICE SUMMARY

For Professional Services Rendered and Costs Advanced Through November 30, 2021

Currency: USD

HUSCH BLACKWELL

P O BOX 790379, SAINT LOUIS, MISSOURI 63179, (314) 480-1500, Federal ID No 26-1688286

Needs to be Electronically Billed (LEGALTRACKER)
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BJC Health System

PAYMENT DUE UPON RECEIPT

Invoice Date: December 06, 2021
Invoice Number: 3090161

For Professional Services Rendered and Costs Advanced Through November 30, 2021

Currency: USD

Date	Professional Services	Hours	Amount
11/23/21	[REDACTED]	0.60	\$195.00

CONFIDENTIAL INFORMATION
PROTECTED BY ATTORNEY-CLIENT PRIVILEGE

Date	Professional Services	Hours	Amount
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	C. Claiborne		
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HUSCH BLACKWELL

P O BOX 790379, SAINT LOUIS, MISSOURI 63179, (314) 480-1500, Federal ID No. 26-1688286

**Needs to be Electronically Billed (LEGALTRACKER)
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BJC Health System

Invoice Date: January 28, 2022
Invoice Number: 3114502

INVOICE SUMMARY

For Professional Services Rendered and Costs Advanced Through December 31, 2021

Currency: USD

HUSCH BLACKWELL

P O BOX 790379, SAINT LOUIS, MISSOURI 63179, (314) 480-1500, Federal ID No. 26-1688286

Needs to be Electronically Billed (LEGALTRACKER)
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BJC Health System

PAYMENT DUE UPON RECEIPT

Invoice Date: January 28, 2022
Invoice Number: 3114502

For Professional Services Rendered and Costs Advanced Through December 31, 2021

Currency: USD

Date	Professional Services	Hours	Amount
12/01/21	[REDACTED]	0.30	\$97.50
	C. Claiborne		
12/02/21	[REDACTED]	3.20	\$576.00
	J. Perkins		
12/08/21	[REDACTED]	0.60	\$195.00
	C. Claiborne		

CONFIDENTIAL INFORMATION
PROTECTED BY ATTORNEY-CLIENT PRIVILEGE

Date	Professional Services	Hours	Amount
12/09/21	[REDACTED]	0.60	\$195.00
	C. Claiborne		
12/09/21	[REDACTED]	0.50	\$162.50
	C. Claiborne		
12/10/21	[REDACTED]	0.60	\$195.00
	C. Claiborne		
12/10/21	[REDACTED]	0.80	\$260.00
	C. Claiborne		
12/14/21	[REDACTED]	1.70	\$552.50
	C. Claiborne		
12/14/21	[REDACTED]	0.50	\$337.50
	M. Nolan		

Date	Professional Services	Hours	Amount
12/21/21	[REDACTED]	0.20	\$36.00
	[REDACTED]		
	J. Perkins		
12/22/21	[REDACTED]	1.00	\$325.00
	[REDACTED]		
	C. Claiborne		
12/30/21	[REDACTED]	2.10	\$682.50
	[REDACTED]		
	C. Claiborne		

HUSCH BLACKWELL

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BJC Health System

Invoice Date: February 21, 2022
Invoice Number: 3122550

INVOICE SUMMARY

For Professional Services Rendered and Costs Advanced Through January 31, 2022

Currency: USD



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BJC Health System

PAYMENT DUE UPON RECEIPT

Invoice Date: February 21, 2022
Invoice Number: 3122550

For Professional Services Rendered and Costs Advanced Through January 31, 2022

Currency: USD

Date	Professional Services	Hours	Amount
01/03/22	[REDACTED]	0.40	\$130.00
	C. Claiborne		
01/05/22	[REDACTED]	0.40	\$130.00
	C. Claiborne		

**CONFIDENTIAL INFORMATION
PROTECTED BY ATTORNEY-CLIENT PRIVILEGE**

Date	Professional Services	Hours	Amount
01/11/22	[REDACTED]	1.40	\$252.00

J. Perkins

Date	Professional Services	Hours	Amount
01/14/22	[REDACTED]	0.30	\$73.50
	B. Armstrong		
01/14/22	[REDACTED]	0.40	\$130.00
	C. Claiborne		
01/18/22	[REDACTED]	0.70	\$227.50
	C. Claiborne		
01/26/22	[REDACTED]	0.20	\$36.00
	J. Perkins		
01/27/22	[REDACTED]	0.40	\$130.00
	C. Claiborne		

HUSCH BLACKWELL

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BJC Health System

Invoice Date: August 31, 2022
Invoice Number: 3216716

INVOICE SUMMARY

For Professional Services Rendered and Costs Advanced Through July 31, 2022

Currency: USD



Date	Professional Services	Hours	Amount
05/18/22	[REDACTED]	0.50	\$250.00
	[REDACTED]		
	M. Nolan		
05/19/22	[REDACTED]	0.70	\$171.50
	[REDACTED]		
	B. Armstrong		
05/19/22	[REDACTED]	1.60	\$392.00
	[REDACTED]		
	B. Armstrong		



Date	Professional Services	Hours	Amount
05/19/22	[REDACTED]	0.90	\$450.00
	M. Nolan		
05/25/22	[REDACTED]	0.60	\$147.00
	[REDACTED]		
	B. Armstrong		
05/25/22	[REDACTED]	0.80	\$400.00
	[REDACTED]		
	M. Nolan		
05/26/22	[REDACTED]	0.70	\$171.50
	[REDACTED]		
	B. Armstrong		
05/26/22	[REDACTED]	0.40	\$200.00
	M. Nolan		
05/27/22	[REDACTED]	1.70	\$416.50
	[REDACTED]		
	B. Armstrong		
05/27/22	[REDACTED]	0.20	\$100.00
	M. Nolan		
06/02/22	[REDACTED]	0.10	\$24.50
	[REDACTED]		
	B. Armstrong		

Date	Professional Services	Hours	Amount
06/02/22	[REDACTED]	0.20	\$100.00
	M. Nolan		
06/06/22	[REDACTED]	0.40	\$98.00
	[REDACTED]		
	B. Armstrong		
06/06/22	[REDACTED]	0.50	\$250.00
	[REDACTED]		
	M. Nolan		
06/06/22	[REDACTED]	0.20	\$100.00
	[REDACTED]		
	M. Nolan		
06/07/22	[REDACTED]	0.20	\$49.00
	[REDACTED]		
	B. Armstrong		
06/07/22	[REDACTED]	0.20	\$36.00
	[REDACTED]		
	J. Perkins		
06/07/22	[REDACTED]	0.20	\$36.00
	[REDACTED]		
	J. Perkins		
06/07/22	[REDACTED]	0.10	\$50.00
	[REDACTED]		
	M. Nolan		

Date	Professional Services	Hours	Amount
06/08/22	[REDACTED] [REDACTED] B. Armstrong	0.10	\$24.50
06/08/22	[REDACTED] [REDACTED] J. Perkins	0.40	\$72.00
06/10/22	[REDACTED] [REDACTED] B. Armstrong	0.30	\$73.50
06/10/22	[REDACTED] [REDACTED] J. Perkins	0.30	\$54.00
06/10/22	[REDACTED] [REDACTED] J. Perkins	1.40	\$252.00
06/10/22	[REDACTED] [REDACTED] J. Perkins	0.20	\$36.00

Date	Professional Services	Hours	Amount
06/16/22	[REDACTED]	1.00	\$245.00
	[REDACTED]		
	B. Armstrong		
06/16/22	[REDACTED]	0.30	\$150.00
	[REDACTED]		
	M. Nolan		
06/17/22	[REDACTED]	0.50	\$122.50
	[REDACTED]		
	B. Armstrong		
06/20/22	[REDACTED]	0.30	\$73.50
	[REDACTED]		
	B. Armstrong		

Date	Professional Services	Hours	Amount
07/15/22	[REDACTED]	0.30	\$73.50
	[REDACTED]		
	B. Armstrong		
07/15/22	[REDACTED]	0.60	\$225.00
	[REDACTED]		
	T. Mullineaux		
07/17/22	[REDACTED]	0.40	\$98.00
	[REDACTED]		
	B. Armstrong		
07/17/22	[REDACTED]	0.40	\$150.00
	[REDACTED]		
	T. Mullineaux		
07/18/22	[REDACTED]	0.10	\$24.50
	[REDACTED]		
	B. Armstrong		
07/18/22	[REDACTED]	0.20	\$100.00
	[REDACTED]		
	M. Nolan		

Date	Professional Services	Hours	Amount
07/19/22		1.10	\$269.50
	B. Armstrong		
07/19/22		0.30	\$150.00
	M. Nolan		
07/19/22		1.70	\$637.50
	T. Mullineaux		
07/20/22		0.60	\$147.00
	B. Armstrong		
07/20/22		0.70	\$262.50
	T. Mullineaux		
07/21/22		0.40	\$98.00
	B. Armstrong		
07/21/22		0.40	\$150.00
	T. Mullineaux		

Date	Professional Services	Hours	Amount
07/22/22	[REDACTED]	0.70	\$171.50
	[REDACTED]		
	B. Armstrong		
07/22/22	[REDACTED]	0.70	\$262.50
	[REDACTED]		
	T. Mullineaux		

HUSCH BLACKWELL

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BJC Health System

Invoice Date: October 13, 2022
Invoice Number: 3235791

INVOICE SUMMARY

For Professional Services Rendered and Costs Advanced Through September 30, 2022

Currency: USD

Date	Professional Services	Hours	Amount
08/18/22	[REDACTED]	0.20	\$49.00
	[REDACTED]		
	B. Armstrong		
08/18/22	[REDACTED]	0.40	\$98.00
	[REDACTED]		
	B. Armstrong		

Date	Professional Services	Hours	Amount
08/18/22	[REDACTED] [REDACTED] [REDACTED] J. Perkins	0.20	\$36.00
08/19/22	[REDACTED] [REDACTED] B. Armstrong	0.40	\$98.00
08/19/22	[REDACTED] [REDACTED] T. Mullineaux	0.40	\$140.00
08/19/22	[REDACTED] [REDACTED] T. Mullineaux	0.80	\$280.00
08/21/22	[REDACTED] [REDACTED] B. Armstrong	0.10	\$24.50
08/21/22	[REDACTED] [REDACTED] T. Mullineaux	0.20	\$70.00

Date	Professional Services	Hours	Amount
08/22/22	[REDACTED] [REDACTED] B. Armstrong	0.20	\$49.00
08/22/22	[REDACTED] [REDACTED] [REDACTED] T. Mullineaux	0.60	\$210.00
08/23/22	[REDACTED] B. Armstrong	0.20	\$49.00
08/23/22	[REDACTED] [REDACTED] T. Mullineaux	0.30	\$105.00

Date	Professional Services	Hours	Amount
08/24/22	[REDACTED] [REDACTED] B. Armstrong	1.10	\$269.50
08/24/22	[REDACTED] [REDACTED] B. Armstrong	0.30	\$73.50
08/24/22	[REDACTED] [REDACTED] T. Mullineaux	1.90	\$665.00
08/24/22	[REDACTED] [REDACTED] T. Mullineaux	0.30	\$105.00
08/26/22	[REDACTED] [REDACTED]	0.30	\$73.50

Date	Professional Services	Hours	Amount
	B. Armstrong		
08/26/22	[REDACTED] [REDACTED]	0.30	\$73.50
	B. Armstrong		
08/26/22	[REDACTED] [REDACTED]	1.70	\$595.00
	T. Mullineaux		
08/27/22	[REDACTED] [REDACTED]	1.00	\$350.00
	T. Mullineaux		
08/28/22	[REDACTED] [REDACTED]	1.60	\$392.00
	B. Armstrong		
08/28/22	[REDACTED] [REDACTED]	1.90	\$665.00
	T. Mullineaux		
08/29/22	[REDACTED] [REDACTED]	1.40	\$343.00
	B. Armstrong		
08/29/22	[REDACTED] [REDACTED]	0.20	\$90.00
	M. Nolan		
08/29/22	[REDACTED] [REDACTED]	0.40	\$140.00
	T. Mullineaux		

Date	Professional Services	Hours	Amount
08/30/22	[REDACTED] [REDACTED] B. Armstrong	1.60	\$392.00
08/30/22	[REDACTED]	1.10	\$495.00
08/30/22	[REDACTED] T. Mullineaux	1.00	\$350.00
08/31/22	[REDACTED]	0.50	\$122.50

Date	Professional Services	Hours	Amount
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	B. Armstrong		
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08/31/22		0.30	\$135.00
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	M. Nolan		
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09/01/22		2.00	\$490.00
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	B. Armstrong		
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Date	Professional Services	Hours	Amount
09/01/22	[REDACTED]	0.20	\$36.00
	J. Perkins		
09/01/22	[REDACTED]	0.20	\$36.00
	J. Perkins		
09/01/22	[REDACTED]	0.20	\$36.00
	J. Perkins		
09/01/22	[REDACTED]	0.90	\$405.00
	M. Nolan		
09/01/22	[REDACTED]	0.80	\$280.00
	T. Mullineaux		

Date	Professional Services	Hours	Amount
09/07/22	[REDACTED] [REDACTED]	0.20	\$36.00

J. Perkins

Date	Professional Services	Hours	Amount
09/09/22	[REDACTED]	0.10	\$24.50
	B. Armstrong		
09/09/22	[REDACTED]	0.20	\$70.00
	T. Mullineaux		

<u>Date</u>	<u>Professional Services</u>	<u>Hours</u>	<u>Amount</u>
09/10/22	[REDACTED]	4.10	\$1,004.50
	B. Armstrong		

09/11/22	[REDACTED]	3.30	\$1,155.00
	T. Mullineaux		

Date	Professional Services	Hours	Amount
09/13/22	[REDACTED]	2.80	\$504.00

J. Perkins

Date	Professional Services	Hours	Amount
09/14/22	M. Nolan	6.50	\$2,925.00

Date	Professional Services	Hours	Amount
09/14/22	[REDACTED] [REDACTED]	3.60	\$1,260.00
	T. Mullineaux		
09/15/22	[REDACTED] [REDACTED]	0.30	\$135.00
	M. Nolan		

Date	Professional Services	Hours	Amount
09/19/22	[REDACTED] [REDACTED]	0.10	\$24.50

B. Armstrong



Date	Professional Services	Hours	Amount
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09/28/22	[REDACTED]	1.40	\$490.00
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[REDACTED]
T. Mullineaux

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09/29/22	[REDACTED]	0.10	\$24.50
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[REDACTED]
B. Armstrong

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